



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SYNCORA GUARANTEE INC., formerly
known as XL CAPITAL ASSURANCE INC.,

Plaintiff,

-against-

EMC MORTGAGE CORPORATION,
Defendant.

Civ. Action No. 09 CV 3106 (PAC)

~~PROPOSED~~ AMENDED
SCHEDULING ORDER

PAUL A. CROTTY
UNITED STATES DISTRICT JUDGE

It is hereby ORDERED that the dates in the above-captioned proceeding set forth in the May 5, 2009 Civil Case Management Plan and Scheduling Order, the Amended Schedule Order dated January 19, 2010 and the Amended Scheduling Order dated March 23, 2010, and the Amended Scheduling Order dated September 13, 2010, have been adjourned as follows:

1. All fact depositions and fact discovery must be completed by October 14, 2011, except that borrower discovery may continue until 90 days prior to trial.
2. Requests to Admit must be served by October 28, 2011.
3. The designation of expert testimony and disclosure of expert reports as to any issue on which a party has the burden of proof ("Opening Reports") must be made by December 2, 2011.
4. All expert reports responsive to Opening Reports ("Opposition Reports") must be disclosed by January 13, 2012.
5. By February 10, 2012, the opening parties must disclose any reply reports rebutting specific material in the Opposition Reports ("Rebuttal Reports").

6. All expert discovery, including depositions, must be completed by March 9, 2012.
7. All motions for summary judgment must be served by April 6, 2012.
8. All oppositions to summary judgment must be served by May 4, 2012.
9. All reply briefs in support of summary judgment must be served by June 1, 2012.
10. The parties will submit a joint pretrial order on July 27, 2012.
11. Trial shall begin no earlier than August 10, 2012.

Dated: New York, New York
April 18, 2011

SO ORDERED:



PAUL A. CROTTY
UNITED STATES DISTRICT JUDGE